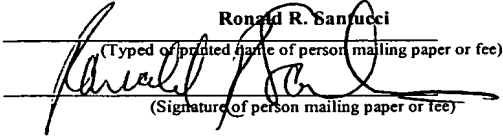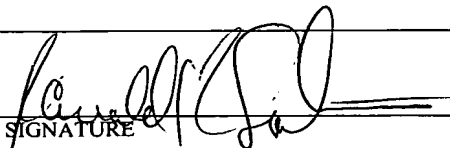| FORM PTO-1390 (REV. 1-2003) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER 930092-2008
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371	U.S. APPLICATION NO. (If known see 37 C.F.R. 1.5) **10/520231**
INTERNATIONAL APPLICATION NO. PCT/ZA2003/000068	INTERNATIONAL FILING DATE 27 May 2003 (27.05.2003)	PRIORITY DATE CLAIMED 05 July 2002 (05.07.2002)

TITLE OF INVENTION   MEDICAL TUBE RETAINING DEVICE

APPLICANT(S) FOR DO/EO/US André Johan TALJAARD

Applicants herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.

2. ☐ This is a **SECOND or SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.

3. ☐ This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.

4. ☒ The US has been elected.

5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))

    a. ☒ is attached hereto (required only if not communicated by the International Bureau).
    b. ☐ has been communicated by the International Bureau.
    c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).

6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).

    a. ☐ is attached hereto.
    b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).

7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))

    a. ☐ are attached hereto (required only if not communicated by the International Bureau).
    b. ☐ have been communicated by the International Bureau.
    c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
    d. ☒ have not been made and will not be made.

8. ☐ A English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).

9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).

10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98. **(INCLUDING FORM 1449)**

12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.

13. ☒ A preliminary amendment.

14. ☐ An Application Datasheet under 37 CFR 1.76.

15. ☐ A substitute specification.

16. ☐ A power of attorney and/or change of address letter.

17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825.

18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).

19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).

20. ☒ Other items or information:

    International Search Report; check for $540

EXPRESS MAIL

Mailing Label Number: EV195875185US

Date of Deposit: **January 4, 2005**

I hereby certify that this paper or fee is being deposited with the United States Postal Service

"Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to: **Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

Ronald R. Sanfucci
(Typed or printed name of person mailing paper or fee)

(Signature of person mailing paper or fee)

00242352

U.S. APPLICATION NO.(If known, see 37 CFR 1.5) **10/520231**	INTERNATIONAL APPLICATION NO. PCT/ZA2003/000068	ATTORNEY'S DOCKET NO. 930092-2008	

21.	The following fees are submitted:		
☒	a) Basic national fee $300.00	$300.00	
☒	b) Examination fee $200.00	$200.00	
☒	c) Search fee $500.00	$500.00	
	TOTAL OF ABOVE CALCULATIONS= $1,000.00	$1,000.00	

☐	Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is $250 for each additional 50 sheets of paper or fraction thereof.		

Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE	
- 100=	/50=		x $250.00	$

Surcharge of $130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				$

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	20 - 20=		x $50.00	$
Independent claims	2 - 3=		x $200.00	$
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ $360.00	$
		TOTAL OF ABOVE CALCULATIONS =		$1,000.00

☒	Applicant claims small entity status. See 37 C.F.R. 1.27. The fees indicated above are reduced by ½.	$500.00
	SUBTOTAL =	$500.00

Processing fee of **$130.00** for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). +	$
TOTAL NATIONAL FEE =	$500

Fee for recording the enclosed assignments (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). **$40.00** per property +	$40
TOTAL FEES ENCLOSED =	$540.00

	Amount to be refunded:	$
	Amount to be charged:	$

a. ☒ A check in the amount of $**540.00** to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. _____ in the amount of $_____ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. **50-0320**. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO: **Ronald R. Santucci** Frommer Lawrence & Haug LLP 745 Fifth Avenue New York, New York 10151 January 4, 2005	SIGNATURE Ronald R. Santucci
	NAME 28,988
	REGISTRATION NUMBER

00242352